

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

Estate of Viola B. Spaulding Trust, et al.

Plaintiff

v.

York Cleaners, et al.

Defendant

THIRD-PARTY COMPLAINT

Civil Action No. 3:08-cv-00672-CRB

Summons in a Civil Action

To: Attys. for Estate of Viola B. Spaulding Trust, et al.
(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the third-party plaintiff an answer to the attached third-party complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the third-party plaintiff's attorney, whose name and address are:

Robert N. Berg, Esq.
Sedgwick, Detert, Moran & Arnold, LLP
One Market Plaza, Steuart Tower, 8th Floor
San Francisco, CA 94105

Phone: 415-781-7900
Facsimile: 415-781-2635

If you fail to do so, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date:

April 3, 2008

Karen L. Horn

Deputy clerk's signature

KAREN L. HORN

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by:

(1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or

(4) returning the summons unexecuted to the court clerk on _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

Date: _____

Server's signature

Printed name and title

Server's address